



Principles of Risk Assessment for Mental Health Jail Diversion



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Presentation Overview

- ▶ Introduction
- ▶ Overview of risk assessment approaches
- ▶ Selecting a risk assessment tool
- ▶ Using risk assessment tools to improve outcomes



Introduction to Risk Assessment in Mental Health Jail Diversion

Screening vs. Assessment

Screening

- ▶ Identification of individuals at potentially heightened risk for recidivism
- ▶ Indicate a need for further evaluation or preliminary intervention

Assessment

- ▶ Comprehensive evaluation of likelihood of recidivism
- ▶ Consider individual's functioning across multiple domains
- ▶ Integrates information from multiple sources



Risk vs. Other Types of Assessment

- ▶ Risk assessment is distinct from assessment of one particular risk factor or need factor
- ▶ Examples
 - ▶ Substance use
 - ▶ Mental health
 - ▶ Psychopathy
 - ▶ Intelligence



Types of Factors

- ▶ Risk factor vs. need
 - ▶ Treatment targets and outcomes
- ▶ Distal vs. proximal
 - ▶ Timing of risk
- ▶ Static vs. dynamic
 - ▶ Historical vs. static
 - ▶ Stable vs. acute dynamic
- ▶ Risk factor vs. protective factor



Timing of Risk

Outcome Timeframe

- ▶ Immediate
 - ▶ Hours to days
- ▶ Short-term
 - ▶ Weeks to months
- ▶ Longer term
 - ▶ Years

Predictor Timeframe

- ▶ Proximal
- ▶ Distal



Protective Factors

GOOD

Protective Factors

“Treatment is not just fixing what is broken; it is nurturing what is best.”

Risk Assessment Outcomes

- ▶ Recidivism is not one thing:
 - ▶ Any offending
 - ▶ Violent offending
 - ▶ Nonviolent offending
 - ▶ Breach of conditions
 - ▶ Failure to appear
 - ▶ Institutional infraction

Need to operationalize “danger to public safety”.





Mental Health Jail Diversion Context

Traditional Court Processes

- ▶ “Get tough policies” ineffective
 - ▶ Do not meet criteria for effective punishment:
 - ▶ Maximum intensity
 - ▶ Immediate
 - ▶ Consistent application
 - ▶ Blocking of escape and alternatives
- ▶ Shift towards rehabilitation

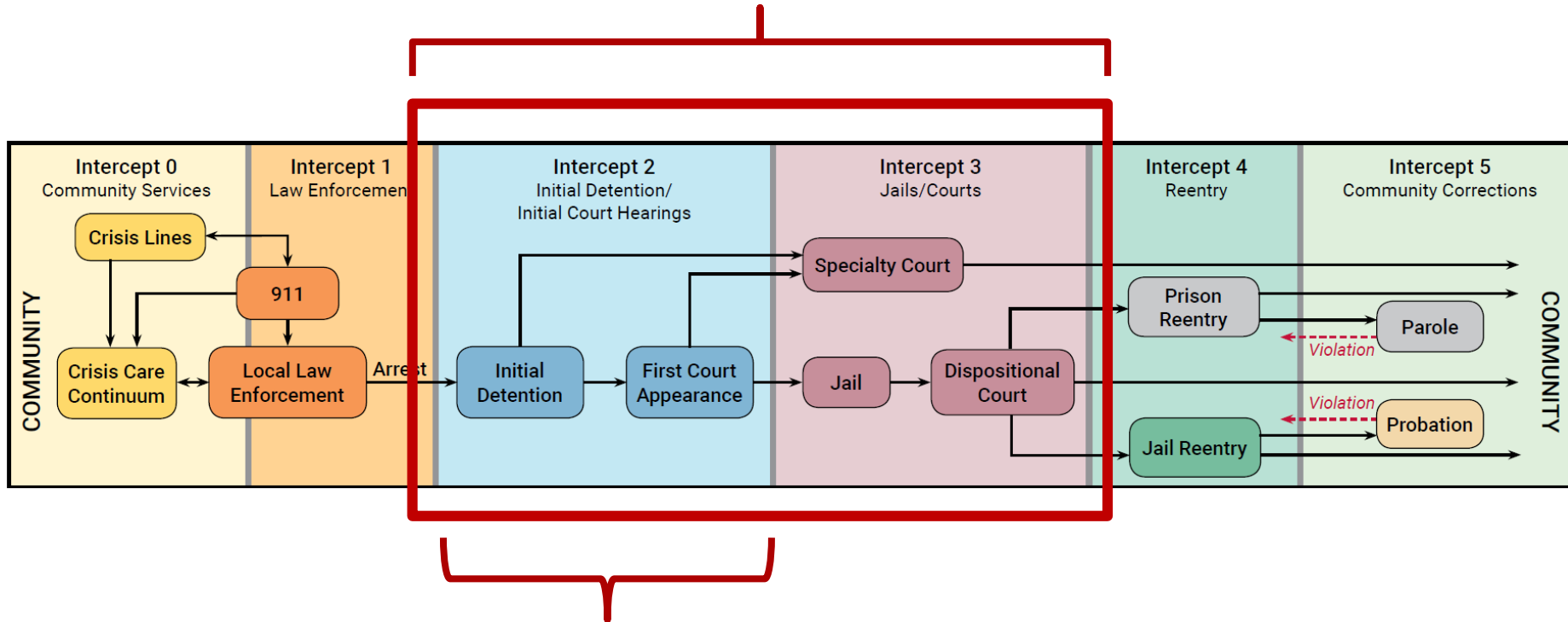
Mental Health Jail Diversion

- ▶ Reduced risk of recidivism with adherence to:
 1. Risk principle
 2. Need principle
 3. Responsivity principle
- ▶ Mental health jail diversion represents a strategy to implement these principles.

Requires assessment of individual risks, needs, and strengths.

Timing of Diversion & Assessment

Diversion Risk Assessment & Release



Pretrial Risk Assessment & Release



Retrieved 4 February, 2019 from www.pra.com.

California Diversion Context

- ▶ At least 3 things to be assessed in the context of mental health jail diversion:
 1. Mental health diagnosis
 2. Mental health disorder played significant role in commission of charged offense(s) (and treatment would reduce recidivism)
 3. Individual does not pose **unreasonable risk of danger to public safety**

“...unreasonable risk that the petitioner will commit a new violent felony...”

Penal Code Section 1170.18





Overview of Risk Assessment Approaches

Risk Assessment

- ▶ *Process of evaluating and managing likelihood of future behaviors*
 - ▶ Incompletely understood
 - ▶ Probabilities change across time
 - ▶ Interaction between characteristics & situations
- ▶ **Can be:**
 - ▶ Unstructured
 - ▶ Structured
 - ▶ Mechanical
 - ▶ Allow for professional judgment



Evolution of Risk Assessment

First Generation

Unstructured professional judgment



Monahan (1981); Bonta et al (2006)

1st Generation

- ▶ Unstructured professional judgment
- ▶ Advantages
 - ▶ Convenient, flexible
 - ▶ Inexpensive
 - ▶ Widely accepted
 - ▶ Able to inform treatment and management



1st Generation

- ▶ Unstructured professional judgment
- ▶ Disadvantages
 - ▶ Training and expertise
 - ▶ Lack of transparency
 - ▶ Highly susceptible to biases
 - ▶ Lack of consistency
 - ▶ Accuracy no better than chance

“Flipping Coins in the Courtroom”

Evolution of Risk Assessment

First Generation

Unstructured professional judgment



Second Generation

Focus on static factors



Monahan (1981); Bonta et al (2006)

2nd Generation

- ▶ Empirically-based, comprised of static risk factors
- ▶ Advantages
 - ▶ Transparent and objective
 - ▶ Good reliability and predictive accuracy
 - ▶ (Relatively) quick and easy



2nd Generation

- ▶ Empirically-based, comprised of static risk factors
- ▶ Disadvantages
 - ▶ Atheoretical
 - ▶ Limited identification of treatment targets
 - ▶ Limited integration of intervention
 - ▶ Do not allow for change over time



Broken Leg Dilemma

- ▶ Life events and circumstances change limiting applicability of risk assessment results
 - ▶ Examples
 - ▶ Physical incapacity
 - ▶ Setting
 - ▶ Interpersonal relationships
 - ▶ Employment
 - ▶ Intervention



Evolution of Risk Assessment

First Generation

Unstructured professional judgment



Second Generation

Focus on static factors



Third Generation

Consideration of dynamic factors & criminogenic needs



3rd Generation

- ▶ Empirically-based and include wider variety of factors
 - ▶ Dynamic risk factors and criminogenic needs
- ▶ Advantages
 - ▶ Transparent
 - ▶ Sensitive to change over time
 - ▶ Good reliability and predictive accuracy
 - ▶ Theoretically sound
 - ▶ Identification of treatment targets



3rd Generation

- ▶ Empirically-based and include wider variety of factors
 - ▶ Dynamic risk factors and criminogenic needs
- ▶ Disadvantages
 - ▶ Repeated administration required to detect change
 - ▶ Potentially shorter shelf life
 - ▶ More time consuming
 - ▶ Limited integration of intervention



Evolution of Risk Assessment

First Generation

Unstructured professional judgment



Second Generation

Focus on static factors



Third Generation

Consideration of dynamic factors & criminogenic needs



Fourth Generation

Integration with case management



Monahan (1981); Bonta et al (2006)

4th Generation

- ▶ Integration of risk management, treatment targets and modalities, and assessment of progress
- ▶ Advantages
 - ▶ Transparent
 - ▶ Sensitive to change over time
 - ▶ Good reliability and predictive accuracy
 - ▶ Theoretically sound
 - ▶ Allow for professional judgment
 - ▶ Incorporates intervention



4th Generation

- ▶ Integration of risk management, treatment targets and modalities, and assessment of progress
- ▶ Disadvantages
 - ▶ Repeated administration required to detect change
 - ▶ Potentially shorter shelf life
 - ▶ More time consuming
 - ▶ More training and expertise
 - ▶ Smaller research base



Selecting a Risk Assessment Tool

Risk Assessment Tools

- ▶ Increased requirement and use of risk assessment tools in mental health diversion
- ▶ Many different tools available, varying in:
 - ▶ Evidence
 - ▶ Intended population
 - ▶ Intended outcome
 - ▶ Content
 - ▶ User qualifications
 - ▶ Length



Examples

- ▶ **Recidivism risk assessment**
 - ▶ Ohio Risk Assessment System (ORAS)
 - ▶ Level of Service (LS) instruments
 - ▶ LSI-R, LS/RNR, LS/CMI
 - ▶ Correctional Offender Management Profile for Alternative Sanctions (COMPAS)
- ▶ **Violence risk assessment**
 - ▶ Historical-Clinical-Risk-20 (HCR-20)
 - ▶ Short-Term Assessment of Risk and Treatability (START)
- ▶ **Pretrial risk assessment**
 - ▶ Public Safety Assessment (PSA)
 - ▶ Virginia Pretrial Risk Assessment Instrument (VPRAI)



Selecting a Risk Assessment Tool

- ▶ Answer the following questions:
 1. What is the evidence?
 2. What is your outcome of interest?
 3. What is your population?
 4. What is your assessment context?

1. What is the evidence?

- ▶ Tools differ widely in terms of empirical evaluation
- ▶ No one instrument produces *most* reliable and *most* accurate assessments
 - ▶ Some differences in performance as a function of:
 - ▶ Setting
 - ▶ Subgroup
 - ▶ Outcome
 - ▶ Timing of assessment
 - ▶ Timeframe of prediction

Examples of Evidence

- ▶ **ORAS**
 - ▶ Several evaluations (many unpublished)
- ▶ **Level of Service tools**
 - ▶ More than 120 independent evaluations
- ▶ **COMPAS**
 - ▶ >30 evaluations (most unpublished)
 - ▶ Majority by tool publisher and results unavailable to public
- ▶ **HCR-20**
 - ▶ Hundreds of independent evaluations
- ▶ **START**
 - ▶ Dozens of independent evaluations



2. What is your outcome of interest?

- ▶ Some instruments designed for and perform better in assessing likelihood of particular outcomes
 - ▶ General recidivism vs. violent recidivism
- ▶ Some instruments more/less relevant to intervention
 - ▶ Prediction vs. management
 - ▶ Item content and composition

Estimated Risks

	Risk Estimates Produced				
	Any Offending	Pretrial Crime	Any Violence	Pretrial Violence	Failure to Appear
ORAS*	X	X	X		X
LS	X				
COMPAS*	X	X			X
HCR-20			X		
START	X		X		
PSA		X		X	X
VPRAI		X			X

*Different instruments for different stages of criminal justice processing.

► Desmarais & Singh (2013); Desmarais, Zottola, Duhart Clarke, & Lowder (in prep)

3. What is your population?

- ▶ Some instruments developed for specific populations
 - ▶ ORAS & COMPAS have different tools for different populations and assessment points
 - ▶ PSA & VPRAI pretrial defendants
 - ▶ LS, HCR-20, and START non-specific
- ▶ Some instruments perform better for some subgroups
- ▶ Limited research into predictive validity for other subgroups

4. What is your context?

- ▶ Information and time available to complete assessment
 - ▶ Instruments vary in length from 4 – 120+ items
 - ▶ Some require in-depth evaluation and case review
- ▶ Staff training and background
- ▶ Assessment point
- ▶ Prediction timeframe
- ▶ Purpose of assessment
 - ▶ Determine unreasonable threat to public safety?
 - ▶ Estimate likelihood of success in diversion?



Using Risk Assessment to Improve Mental Health Diversion Outcomes

Improving Outcomes

- ▶ Accurate and reliable risk assessments do not improve outcomes



Improving Outcomes

- ▶ To improve outcomes, risk assessment tools must be:
 1. Implemented with fidelity
 2. Communicated to others
 3. Used to inform decision-making and case management
 4. Reviewed and amended over time



1. Successful Implementation

► Steps to successful implementation in practice:

1. Prepare
2. Establish stakeholder and staff buy-in
3. Select and prepare the risk assessment tool
4. Prepare policies and essential documents
5. Training
6. Implement pilot test
7. Full implementation
8. Ongoing tasks for sustainability

2. Communicate Assessment Results

- ▶ **Completing the form and/or report \neq communication**
 - ▶ Must be communicated within and between stakeholders
- ▶ **Recommended practices**
 - ▶ Be explicit
 - ▶ Know your target audience
 - ▶ Qualify limitations of assessment
 - ▶ Contextualize the risks and needs
 - ▶ Describe plausible scenarios and contingencies



3. Inform Decisions & Interventions

▶ Risk-Need-Responsivity Model

- ▶ Best practice for assessing and treating offenders
- ▶ Framework for how to use results of risk assessment to inform decision-making and intervention

▶ Improve mental health diversion outcomes with adherence to:

1. Risk principle
2. Need principle
3. Responsivity principle

Risk Principle

- Match level of risk
 - Higher risk → more resources
 - Lower risk → fewer resources
- Over-intervening → increase adverse outcomes
 - Increase risk factors
 - Reducing protective factors

Balance public safety risk with enough recidivism risk to warrant level of services and intervention.



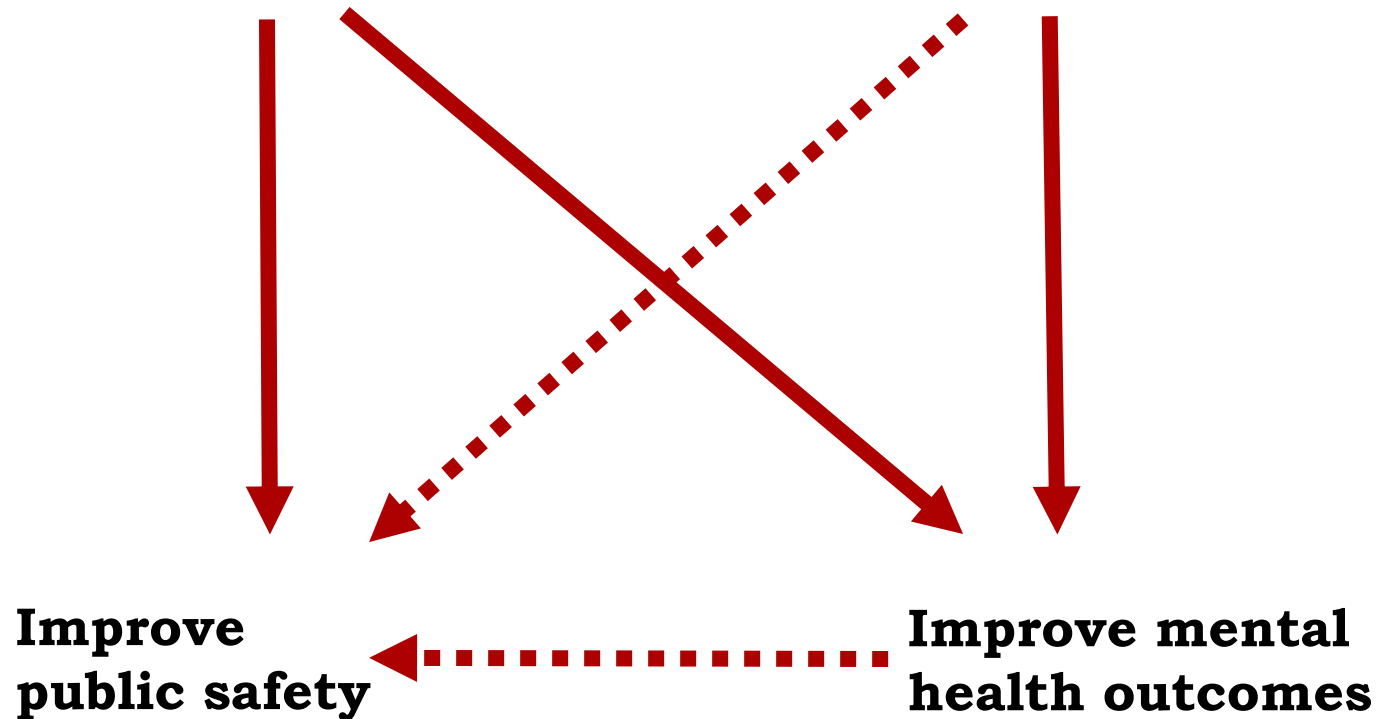
Need Principle

- ▶ Target individual risk and protective factors relevant to risk of adverse outcomes for that individual.
 - ▶ Examples
 - ▶ Substance use
 - ▶ Mood
 - ▶ Attitudes



But... in mental health diversion

- ▶ Address **criminogenic** and **mental health** needs



Responsivity Principle

- ▶ Take into account factors that can affect outcomes
 - ▶ Examples
 - ▶ Intellectual functioning
 - ▶ Maturity
 - ▶ Mental health symptoms
 - ▶ Learning style
 - ▶ Motivation
- ▶ Build upon individual strengths



4. Review and Amendment

- ▶ Both the assessment and plan have a shelf-life
- ▶ Implement mechanism and timeline for review
 - ▶ Modify as necessary
- ▶ Not necessary to start from scratch
 - ▶ What has changed (for better or worse)?
 - ▶ What is the same?
 - ▶ What do we need to do differently *for* the individual and *with* the individual?



Thank you!

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